

Miles N. Clark (SBN 13848)
Miles@milesclarklaw.com
LAW OFFICES OF MILES N. CLARK LLC
5510 S. Fort Apache Rd, Suite 30
Las Vegas, NV 89148
Telephone: (702) 856-7430
Facsimile: (702) 552-2370

COHEN-JOHNSON, LLC
H. Stan Johnson, Esq. (SBN: 0265)
(sjohnson@cohenjohnson.com)
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
Telephone : (702) 823-2500
Facsimile : (702) 823-3400

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[Additional Counsel Appear on Signature
Page]

Attorneys for Plaintiff and the Proposed Class

*Counsel for ANCESTRY.COM OPERATIONS
INC., ANCESTRY.COM INC., and
ANCESTRY.COM LLC*

THE UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ANTHONY SESSA and MARK SESSA, on
behalf of themselves and all others similarly
situated,

Plaintiffs,

v.

ANCESTRY.COM OPERATIONS INC., a
Virginia Corporation; ANCESTRY.COM INC.,
a Delaware Corporation; and ANCESTRY.COM
LLC, a Delaware Limited Liability Company,

Defendants.

Case No. 2:20-cv-02292-GMN-BNW

**JOINT STIPULATION FOR
ORDER APPROVING EXTENSION
OF BRIEFING SCHEDULE FOR
MOTION TO EXCLUDE
PLAINTIFFS' EXPERT AND
MOTION FOR SUMMARY
JUDGMENT AND [PROPOSED]
ORDER**

(FIRST REQUEST)

Judge Gloria M. Navarro

Magistrate Judge Brenda Weksler

Pursuant to L.R. IA 6-1 and 6-2, and L.R. 7-1 and 26-3 of the Local Rules of Practice for
the United States District Court for the District of Nevada, all plaintiffs Anthony Sessa and Mark
Sessa ("Plaintiffs") and defendants Ancestry.com Operations Inc., Ancestry.com Inc., and
Ancestry.com LLC ("Defendants" or "Ancestry") (collectively, the "parties"), by and through
their undersigned counsel, hereby stipulate and agree to extend the briefing deadlines associated

JOINT STIPULATION FOR ORDER APPROVING EXTENSION OF DEADLINES AND [PROPOSED]
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1 with Defendants' Motion to Exclude Plaintiffs' Expert Clifford Kupperberg (Dkt. 124) and
2 Defendants' Motion for Summary Judgment (Dkt. 123). The requested extension is necessary
3 and there is good cause for the extension, as set forth below. This is the first request for an
4 extension of the briefing schedule related to these motions and is sought in good faith and not for
5 purposes of causing any undue delay.

6 WHEREAS, on December 6, 2022, Plaintiffs filed their motion for class certification,
7 attaching an expert declaration by Clifford Kupperberg in support (Dkt. 103, 103-25);

8 WHEREAS, on January 9, 2023, the Court approved the parties' Joint Stipulation for
9 Order Approving Extension of Class Certification Deadlines setting the deadline for Defendants'
10 opposition to Plaintiffs' class certification motion as February 2, 2023, and the deadline for
11 Plaintiffs' reply in support of their motion for class certification as March 2, 2023 (Dkt. 117);

12 WHEREAS, on February 2, 2023, Defendants filed their opposition to Plaintiffs' motion
13 for class certification (Dkt. 122), a motion to exclude Plaintiffs' expert Clifford Kupperberg (Dkt.
14 124) and a motion for summary judgment (Dkt. 123);

15 WHEREAS, under the local rules, Plaintiffs' response to the motion to exclude Clifford
16 Kupperberg is due on February 16, 2023, and Plaintiffs' response to Defendants' motion for
17 summary judgment is due on February 23, 2023;

18 WHEREAS, the parties conferred and agreed that Plaintiffs' response to Defendants'
19 motion to exclude Clifford Kupperberg should be filed on the same day as their reply in support
20 of their motion for class certification, which is due on March 2, 2023, and that Defendants' reply
21 in support of their motion to exclude should be due on March 16, 2023;

22 WHEREAS, the parties further agreed that Plaintiffs' response to Defendants' motion for
23 summary judgment should be submitted on March 16, 2023, to allow for sufficient time to
24 respond to the legal arguments raised in that motion, and that Defendants' reply in support of
25 their motion for summary judgment should be due on April 6 2023;

WHEREAS, good cause exists as required by L.R. 26-3 to grant this brief extension of the briefing schedule for these motions. The motion to exclude is inextricably tied to Plaintiffs' motion for class certification, and thus should proceed on the same briefing schedule. Moreover, to allow Plaintiffs sufficient time to complete the class certification briefing prior to responding to Defendants' motion for summary judgment, the deadline for Plaintiffs' response to that motion should be extended.

WHEREFORE, the parties hereby seek an Order of this Court extending the class certification deadlines as follows.:

Event	Current Deadline	Proposed Deadline
Last Day to Respond to Motion to Exclude Clifford Kupperberg	February 16, 2023	March 2, 2023
Last Day to File Reply Supporting Motion to Exclude Clifford Kupperberg	February 23, 2023 (seven days after service of the response)	March 16, 2023
Last Day to Respond to Motion for Summary Judgment	February 23, 2023	March 16, 2023
Last Day to File Reply Supporting Motion for Summary Judgment	March 9, 2023 (14 days after service of the response)	April 6, 2023

Dated: February 7, 2023

/s/ Raina C. Borrelli

Raina C. Borrelli
raina@turkestrauss.com
TURKE & STRAUSS LLP
613 Williamson St., Suite 201
Madison, WI 53703
Telephone: (608) 237-1775
Facsimile: (608) 509-4423

Miles N. Clark (SBN 13848)
Miles@milesclarklaw.com
LAW OFFICES OF MILES N. CLARK
LLC

/s/ Shon Morgan

Shon Morgan (*Pro Hac Vice*)
shonmorgan@quinnemanuel.com)
John W. Baumann (*Pro Hac Vice*)
jackbaumann@quinnemanuel.com)
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, California 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

JOINT STIPULATION FOR ORDER APPROVING EXTENSION OF DEADLINES AND [PROPOSED]
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5510 S. Fort Apache Rd, Suite 30
Las Vegas, NV 89148
Telephone: (702) 856-7430
Facsimile: (702) 552-2370

Michael F. Ram (*Pro Hac Vice*)
Marie N. Appel (*Pro Hac Vice*)
MORGAN & MORGAN COMPLEX
LITIGATION GROUP
711 Van Ness Avenue, Suite 500 San
Francisco, CA 94102
Telephone: (415) 358-6913
Facsimile: (415) 358-6293
Email: MRam@forthepeople.com
Email: MAppel@forthepeople.com

Benjamin R. Osborn (*Pro Hac Vice*)
102 Bergen Street Brooklyn, NY 11201
Telephone: (347) 645-0464
Email: Ben@benosbornlaw.com

Cristina Henriquez (*Pro Hac Vice*)
(cristinahenriquez@quinnemanuel.com)
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, California 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5000

COHEN-JOHNSON, LLC
H. Stan Johnson, Esq. (SBN: 0265)
(sjohnson@cohenjohnson.com)
375 E. Warm Springs Road, Suite 104
Las Vegas, Nevada 89119
Telephone : (702) 823-2500
Facsimile : (702) 823-3400

*Counsel for ANCESTRY.COM OPERATIONS
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ORDER APPROVING STIPULATION

IT IS SO ORDERED.

UNITED STATES MAGISTRATE JUDGE

DATED

JOINT STIPULATION FOR ORDER APPROVING EXTENSION OF DEADLINES AND [PROPOSED]
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CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, NRCP 5(b), and EDCR 7.26, I hereby certify that on February 7, 2023 I served a true and correct copy of **JOINT STIPULATION FOR ORDER APPROVING EXTENSION OF BRIEFING SCHEDULE FOR MOTION TO EXCLUDE PLAINTIFFS' EXPERT AND MOTION FOR SUMMARY JUDGMENT AND [PROPOSED] ORDER** by serving a copy via the Court's electronic service system via Odyssey Court E-File system on all parties registered thereon.

/s/ Lucille Chiusano

An employee of LAW OFFICES OF MILES N. CLARK, LLC